

such other state is participating in the exemption program described by this section and the vessel is enrolled in that state's program.

(7) The vessel, when not fishing under the DAS program, does not fish for, possess, or land more than 500 lb (226.8 kg) of winter flounder, and has at least one standard tote on board.

(8) The vessel does not fish for, possess, or land any species of fish other than winter flounder and the exempted small mesh species specified under paragraphs (a)(3)(i), (a)(8)(iii), (b)(3), and (c)(3) of this section when fishing in the areas specified under paragraphs (a)(3), (a)(8), (b)(1), and (c)(1) of this section, respectively. Vessels fishing under this exemption in New York and Connecticut state waters may also possess and retain skate as incidental take in this fishery.

(9) The vessel complies with all other applicable requirements.

[61 FR 34968, July 3, 1996, as amended at 61 FR 54106, Oct. 17, 1996; 61 FR 55777, Oct. 29, 1996; 61 FR 68165, Dec. 27, 1996; 62 FR 8406, Feb. 25, 1997; 62 FR 14649, Mar. 27, 1997; 62 FR 15387, Apr. 1, 1997; 62 FR 49149, Sept. 19, 1997; 63 FR 7730, Feb. 17, 1998; 63 FR 11595, Mar. 10, 1998; 63 FR 15330, Mar. 31, 1998; 63 FR 25416, May 8, 1998; 63 FR 40377, July 29, 1998; 63 FR 42592, Aug. 10, 1998; 63 FR 45966, Aug. 28, 1998]

**§ 648.81 Closed areas.**

(a) *Closed Area I.* (1) No fishing vessel or person on a fishing vessel may enter, fish, or be in the area known as Closed Area I (copies of a map depicting this area are available from the Regional Administrator upon request), as defined by straight lines connecting the following points in the order stated, except as specified in paragraphs (a)(2) and (d) of this section:

CLOSED AREA I		
Point	N. Lat.	W. Long.
C11 .....	41°30'	69°23'
C12 .....	40°45'	68°45'
C13 .....	40°45'	68°30'
C14 .....	41°30'	68°30'
C11 .....	41°30'	69°23'

(2) Paragraph (a)(1) of this section does not apply to persons on fishing vessels or fishing vessels—

(i) Fishing with or using pot gear designed and used to take lobsters, or pot gear designed and used to take hagfish,

provided that there is no retention of regulated species and no other gear on board capable of catching NE multispecies; or

(ii) Fishing with or using pelagic hook or longline gear or harpoon gear, provided that there is no retention of regulated species, and provided that there is no other gear on board capable of catching NE multispecies; or

(iii) Fishing with pelagic midwater trawl gear, consistent with § 648.80(d), provided that the Regional Administrator shall review information pertaining to the bycatch of regulated multispecies, and, if the Regional Administrator determines, on the basis of sea sampling data or other credible information for this fishery, that the bycatch of regulated multispecies exceeds, or is likely to exceed, 1 percent of herring and mackerel harvested, by weight, in the fishery or by any individual fishing operation, the Regional Administrator may place restrictions and conditions in the letter of authorization for any or all individual fishing operations or, after consulting with the Council, suspend or prohibit any or all midwater trawl activities in the closed areas.

(b) *Closed Area II.* (1) No fishing vessel or person on a fishing vessel may enter, fish, or be in the area known as Closed Area II (copies of a map depicting this area is available from the Regional Administrator upon request), as defined by straight lines connecting the following points in the order stated, except as specified in paragraph (b)(2) of this section:

CLOSED AREA II		
Point	N. Lat.	W. Long.
C11 .....	41°00'	67°20'
C12 .....	41°00'	66°35.8'
G5 .....	41°18.6'	66°24.8' (the U.S.-Canada Maritime Boundary)
C13 .....	42°22'	67°20' (the U.S.-Canada Maritime Boundary)
C11 .....	41°00'	67°20'

(2) Paragraph (b)(1) of this section does not apply to persons on fishing vessels or fishing vessels fishing with gears as described in paragraph (a)(2) of this section, or that are transiting the area provided—

(i) The operator has determined that there is a compelling safety reason; and

(ii) The vessel's fishing gear is stowed in accordance with the requirements of paragraph (e) of this section.

(c) *Nantucket Lightship Closed Area.*

(1) No fishing vessel or person on a fishing vessel may enter, fish, or be in the area known as the Nantucket Lightship Closed Area (copies of a map depicting this area are available from the Regional Administrator upon request), as defined by straight lines connecting the following points in the order stated, except as specified in paragraphs (c)(2) and (d) of this section:

NANTUCKET LIGHTSHIP CLOSED AREA

Point	N. Lat.	W. Long.
G10 .....	40°50'	69°00'
CN1 .....	40°20'	69°00'
CN2 .....	40°20'	70°20'
CN3 .....	40°50'	70°20'
G10 .....	40°50'	69°00'

(2) Paragraph (c)(1) of this section does not apply to persons on fishing vessels or fishing vessels—

(i) Fishing with gears as described in paragraph (a)(2) of this section;

(ii) Fishing with or using dredge gear designed and used to take surf clams or ocean quahogs, provided that there is no retention of regulated species and no other gear on board capable of catching NE multispecies; or

(iii) Classified as charter, party or recreational vessel, provided that—

(A) If the vessel is a party or charter vessel, it has a letter of authorization issued by the Regional Administrator on board;

(B) Fish harvested or possessed by the vessel are not sold or intended for trade, barter or sale, regardless of where the fish are caught; and

(C) The vessel has no gear other than rod and reel or handline gear on board.

(d) *Transiting.* Vessels may transit Closed Area I, the Nantucket Lightship Closed Area, the NE Closure Area, the GOM Inshore Closure Areas, the Cashes Ledge Closure Area, and the Western GOM Closure Area, as defined in paragraphs (a)(1), (c)(1), (f)(1), (g)(1), (h)(1), and (i)(1), respectively, of this section, provided that their gear is stowed in

accordance with the provisions of paragraph (e) of this section.

(e) *Gear stowage requirements.*

(1) *Nets.* In accordance with one of the methods specified in §648.23(b) and capable of being shown not to have been in recent use.

(2) *Scallop dredges.* The towing wire is detached from the scallop dredge, the towing wire is reeled up onto the winch, and the dredge is secured and covered so that it is rendered unusable for fishing.

(3) *Hook gear (other than pelagic).* All anchors and buoys are secured and all hook gear, including jigging machines, is covered.

(4) *Sink gillnet gear.* All nets are covered with canvas or other similar material and lashed or otherwise securely fastened to the deck or rail, and all buoys larger than 6 inches (15.24 cm) in diameter, high flyers, and anchors are disconnected.

(f) *NE Closure Area.* (1) From August 15 through September 13, no fishing vessel or person on a fishing vessel may enter, fish, or be, and no fishing gear capable of catching NE multispecies, unless otherwise allowed in this part may be, in the area known as the NE Closure Area (copies of a map depicting this area are available from the Regional Administrator upon request), as defined by straight lines connecting the following points in the order stated, except as specified in paragraphs (d) and (f)(2) of this section:

NORTHEAST CLOSURE AREA

Point	N. Lat.	W. Long.
NE1 .....	( <sup>1</sup> )	68°55.0'
NE2 .....	43°29.6'	68°55.0'
NE3 .....	44°04.4'	67°48.7'
NE4 .....	44°06.9'	67°52.8'
NE5 .....	44°31.2'	67°02.7'
NE6 .....	( <sup>1</sup> )	67°02.7'

<sup>1</sup> Maine shoreline.

(2) Paragraph (f)(1) of this section does not apply to persons on fishing vessels or fishing vessels:

(i) That have not been issued a multispecies permit and that are fishing exclusively in state waters;

(ii) That are fishing with or using exempted gear as defined under this part, subject to the restrictions on midwater trawl gear in paragraph (a)(2)(iii) of this section, and excluding pelagic

gillnet gear capable of catching multispecies, except vessels may fish with a single pelagic gillnet, not longer than 300 ft (91.44 m) and not greater than 6 ft (1.83 m) deep, with a maximum mesh size of 3 inches (7.62 cm), provided:

(A) The net is attached to the boat and fished in the upper two-thirds of the water column;

(B) The net is marked with the owner's name and vessel identification number;

(C) There is no retention of regulated species; and

(D) There is no other gear on board capable of catching NE multispecies; or

(iii) That are classified as charter, party, or recreational.

(g) *GOM Inshore Closure Areas.* (1) From May 1, 1998, through April 30, 2001, no fishing vessel or person on a fishing vessel may enter, fish in, or be in, and no fishing gear capable of catching multispecies, unless otherwise allowed in this part, may be in, or on board a vessel in, the GOM Inshore Closure Areas I through IV, as described in paragraphs (g)(1)(i) through (iv) of this section, for the times specified in those paragraphs, except as specified in paragraphs (d) and (g)(2) of this section (a chart depicting these areas is available from the Regional Administrator upon request (see Table 1 to § 600.502)).

(i) *Inshore Closure Area I.* From March 1 through March 31, the restrictions specified in paragraph (g)(1) of this section apply to Inshore Closure Area I, which is the area bounded by straight lines connecting the following points in the order stated:

INSHORE CLOSURE AREA I  
[March 1–March 31]

Point	N. lat.	W. long.
GM1 .....	42°00'	( <sup>1</sup> )
GM2 .....	42°00'	( <sup>2</sup> )
GM3 .....	42°00'	( <sup>3</sup> )
GM4 .....	42°00'	70°00'
GM5 .....	42°30'	70°00'
GM6 .....	42°30'	( <sup>1</sup> )

<sup>1</sup> Massachusetts shoreline.

<sup>2</sup> Cape Cod shoreline on Cape Cod Bay.

<sup>3</sup> Cape Cod shoreline on the Atlantic Ocean.

(ii) *Inshore Closure Area II.* From April 1 through April 30, the restrictions specified in paragraph (g)(1) of this section apply to Inshore Closure Area II, which is the area bounded by

straight lines connecting the following points in the order stated:

INSHORE CLOSURE AREA II  
[April 1–April 30]

Point	N. lat.	W. long.
GM6 .....	42°30'	( <sup>1</sup> )
GM7 .....	42°30'	69°30'
GM8 .....	43°00'	69°30'
GM9 .....	43°00'	( <sup>2</sup> )

<sup>1</sup> Massachusetts shoreline.

<sup>2</sup> New Hampshire shoreline.

(iii) *Inshore Closure Area III.* From May 1 through May 31, the restrictions specified in paragraph (g)(1) of this section apply to Inshore Closure Area III, which is the area bounded by straight lines connecting the following points in the order stated:

INSHORE CLOSURE AREA III  
[May 1–May 31]

Point	N. lat.	W. long.
GM9 .....	43°00'	( <sup>1</sup> )
GM8 .....	43°00'	69°30'
GM10 .....	43°30'	69°30'
GM11 .....	43°30'	( <sup>2</sup> )

<sup>1</sup> New Hampshire shoreline.

<sup>2</sup> Maine shoreline.

(iv) *Inshore Closure Area IV.* From June 1 through June 30, the restrictions specified in paragraph (g)(1) of this section apply to Inshore Closure Area IV (copies of a chart depicting this area are available from the Regional Administrator upon request (see Table 1 to § 600.502)), which is the area bounded by straight lines connecting the following points in the order stated:

INSHORE CLOSURE AREA IV  
[June 1–June 30]

Point	N. lat.	W. long.
GM11 .....	43°30'	( <sup>1</sup> )
GM12 .....	43°30'	69°00'
GM13 .....	( <sup>1</sup> )	69°00'

<sup>1</sup> Maine shoreline.

(2) Paragraph (g)(1) of this section does not apply to persons on fishing vessels or fishing vessels that meet the criteria in paragraph (f)(2)(i), (ii), or (iii) of this section.

(h) *Cashes Ledge Closure Area.* (1) From May 1, 1998, through April 30, 2001, during the period June 1 through June 30, no fishing vessel or person on

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a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies, unless otherwise allowed in this part, may be in, or on board a vessel in, the area known as the Cashes Ledge Closure Area (a chart depicting this area is available from the Regional Administrator upon request (see Table 1 to §600.502)), as defined by straight lines connecting the following points in the order stated, except as specified in paragraphs (d) and (h)(2) of this section:

### CASHES LEDGE CLOSURE AREA

[June 1–June 30]

Point	N. lat.	W. long.
GM14 .....	42°30'	69°00'
GM15 .....	42°30'	68°30'
GM16 .....	43°00'	68°30'
GM17 .....	43°00'	69°00'
GM14 .....	42°30'	69°00'

(2) Paragraph (h)(1) of this section does not apply to persons on fishing vessels or fishing vessels that meet the criteria in paragraph (f)(2)(ii), or (iii) of this section.

(i) *Western GOM Area Closure.* (1) From May 1, 1998, through April 30, 2001, no fishing vessel or person on a fishing vessel may enter, fish in, or be in, and no fishing gear capable of catching multispecies, unless otherwise allowed in this part, may be in, or on board a vessel in, the area known as the Western GOM Area Closure (a chart depicting this area is available from the Regional Administrator upon request (see Table 1 to §600.502)), as defined by straight lines connecting the following points in the order stated, except as specified in paragraphs (d) and (i)(2) of this section:

### WESTERN GOM AREA CLOSURE

Point	N. lat.	W. long.
WGM1 .....	42°15'	70°15'
WGM2 .....	42°15'	69°55'
WGM3 .....	43°15'	69°55'
WGM4 .....	43°15'	70°15'
WGM1 .....	42°15'	70°15'

(2) Paragraph (i)(1) of this section does not apply to persons on fishing vessels or fishing vessels that meet the criteria in paragraph (f)(2)(ii), or (iii) of this section.

(j) *Restricted Gear Area I.* (1) Restricted Gear Area I is defined by

straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
<b>Inshore Boundary</b>		
to 120		
69 .....	40°07.9' N.	68°36.0' W.
70 .....	40°07.2' N.	68°38.4' W.
71 .....	40°06.9' N.	68°46.5' W.
73 .....	40°08.1' N.	68°51.0' W.
74 .....	40°05.7' N.	68°52.4' W.
75 .....	40°03.6' N.	68°57.2' W.
76 .....	40°03.65' N.	69°00.0' W.
77 .....	40°04.35' N.	69°00.5' W.
78 .....	40°05.2' N.	69°00.5' W.
79 .....	40°05.3' N.	69°01.1' W.
80 .....	40°08.9' N.	69°01.75' W.
81 .....	40°11.0' N.	69°03.8' W.
82 .....	40°11.6' N.	69°05.4' W.
83 .....	40°10.25' N.	69°04.4' W.
84 .....	40°09.75' N.	69°04.15' W.
85 .....	40°08.45' N.	69°03.6' W.
86 .....	40°05.65' N.	69°03.55' W.
87 .....	40°04.1' N.	69°03.9' W.
88 .....	40°02.65' N.	69°05.6' W.
89 .....	40°02.00' N.	69°08.35' W.
90 .....	40°02.65' N.	69°11.15' W.
91 .....	40°00.05' N.	69°14.6' W.
92 .....	39°57.8' N.	69°20.35' W.
93 .....	39°56.65' N.	69°24.4' W.
94 .....	39°56.1' N.	69°26.35' W.
95 .....	39°56.55' N.	69°34.1' W.
96 .....	39°57.85' N.	69°35.5' W.
97 .....	40°00.65' N.	69°36.5' W.
98 .....	40°00.9' N.	69°37.3' W.
99 .....	39°59.15' N.	69°37.3' W.
100 .....	39°58.8' N.	69°38.45' W.
102 .....	39°56.2' N.	69°40.2' W.
103 .....	39°55.75' N.	69°41.4' W.
104 .....	39°56.7' N.	69°53.6' W.
105 .....	39°57.55' N.	69°54.05' W.
106 .....	39°57.4' N.	69°55.9' W.
107 .....	39°56.9' N.	69°57.45' W.
108 .....	39°58.25' N.	70°03.0' W.
110 .....	39°59.2' N.	70°04.9' W.
111 .....	40°00.7' N.	70°08.7' W.
112 .....	40°03.75' N.	70°10.15' W.
115 .....	40°05.2' N.	70°10.9' W.
116 .....	40°02.45' N.	70°14.1' W.
119 .....	40°02.75' N.	70°16.1' W.
to 181		
<b>Offshore Boundary</b>		
to 69		
120 .....	40°06.4' N.	68°35.8' W.
121 .....	40°05.25' N.	68°39.3' W.
122 .....	40°05.4' N.	68°44.5' W.
123 .....	40°06.0' N.	68°46.5' W.
124 .....	40°07.4' N.	68°49.6' W.
125 .....	40°05.55' N.	68°49.8' W.
126 .....	40°03.9' N.	68°51.7' W.
127 .....	40°02.25' N.	68°55.4' W.
128 .....	40°02.6' N.	69°00.0' W.
129 .....	40°02.75' N.	69°00.75' W.
130 .....	40°04.2' N.	69°01.75' W.
131 .....	40°06.15' N.	69°01.95' W.
132 .....	40°07.25' N.	69°02.0' W.
133 .....	40°08.5' N.	69°02.25' W.
134 .....	40°09.2' N.	69°02.95' W.
135 .....	40°09.75' N.	69°03.3' W.
136 .....	40°09.55' N.	69°03.85' W.
137 .....	40°08.4' N.	69°03.4' W.
138 .....	40°07.2' N.	69°03.3' W.

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Point	Latitude	Longitude
139 .....	40°06.0' N.	69°03.1' W.
140 .....	40°05.4' N.	69°03.05' W.
141 .....	40°04.8' N.	69°03.05' W.
142 .....	40°03.55' N.	69°03.55' W.
143 .....	40°01.9' N.	69°03.95' W.
144 .....	40°01.0' N.	69°04.4' W.
146 .....	39°59.9' N.	69°06.25' W.
147 .....	40°00.6' N.	69°10.05' W.
148 .....	39°59.25' N.	69°11.15' W.
149 .....	39°57.45' N.	69°16.05' W.
150 .....	39°56.1' N.	69°20.1' W.
151 .....	39°54.6' N.	69°25.65' W.
152 .....	39°54.65' N.	69°26.9' W.
153 .....	39°54.8' N.	69°30.95' W.
154 .....	39°54.35' N.	69°33.4' W.
155 .....	39°55.0' N.	69°34.9' W.
156 .....	39°56.55' N.	69°36.0' W.
157 .....	39°57.95' N.	69°36.45' W.
158 .....	39°58.75' N.	69°36.3' W.
159 .....	39°58.8' N.	69°36.95' W.
160 .....	39°57.95' N.	69°38.1' W.
161 .....	39°54.5' N.	69°38.25' W.
162 .....	39°53.6' N.	69°46.5' W.
163 .....	39°54.7' N.	69°50.0' W.
164 .....	39°55.25' N.	69°51.4' W.
165 .....	39°55.2' N.	69°53.1' W.
166 .....	39°54.85' N.	69°53.9' W.
167 .....	39°55.7' N.	69°54.9' W.
168 .....	39°56.15' N.	69°55.35' W.
169 .....	39°56.05' N.	69°56.25' W.
170 .....	39°55.3' N.	69°57.1' W.
171 .....	39°54.8' N.	69°58.6' W.
172 .....	39°56.05' N.	70°00.65' W.
173 .....	39°55.3' N.	70°02.95' W.
174 .....	39°56.9' N.	70°11.3' W.
175 .....	39°58.9' N.	70°11.5' W.
176 .....	39°59.6' N.	70°11.1' W.
177 .....	40°01.35' N.	70°11.2' W.
178 .....	40°02.6' N.	70°12.0' W.
179 .....	40°00.4' N.	70°12.3' W.
180 .....	39°59.75' N.	70°13.05' W.
181 .....	39°59.3' N.	70°14.0' W.
to 119		

(2) *Duration.* (i) *Mobile gear.* From October 1 through June 15, no fishing vessel with mobile gear or person on a fishing vessel with mobile gear may fish, or be in Restricted Gear Area I unless transiting. Vessels may transit this area provided that mobile gear is on board the vessel while inside the area.

(ii) *Lobster pot gear.* From June 16 through September 30, no fishing vessel with lobster pot gear or person on a fishing vessel with lobster pot gear may fish, and no lobster pot gear may be deployed or remain, in Restricted Gear Area I.

(k) *Restricted Gear Area II.* (l) Restricted Gear Area II is defined by straight lines connecting the following points in the order stated:

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Point	Latitude	Longitude
<b>Inshore Boundary</b>		
to 1		
49. ....	40°02.75' N.	70°16.1' W.
50. ....	40°00.7' N.	70°18.6' W.
51. ....	39°59.8' N.	70°21.75' W.
52. ....	39°59.75' N.	70°25.5' W.
53. ....	40°03.85' N.	70°28.75' W.
54. ....	40°00.55' N.	70°32.1' W.
55. ....	39°59.15' N.	70°34.45' W.
56. ....	39°58.9' N.	70°38.65' W.
57. ....	40°00.1' N.	70°45.1' W.
58. ....	40°00.5' N.	70°57.6' W.
59. ....	40°02.0' N.	71°01.3' W.
60. ....	39°59.3' N.	71°18.4' W.
61. ....	40°00.7' N.	71°19.8' W.
62. ....	39°57.5' N.	71°20.6' W.
63. ....	39°53.1' N.	71°36.1' W.
64. ....	39°52.6' N.	71°40.35' W.
65. ....	39°53.1' N.	71°42.7' W.
66. ....	39°46.95' N.	71°49.0' W.
67. ....	39°41.15' N.	71°57.1' W.
68. ....	39°35.45' N.	72°02.0' W.
69. ....	39°32.65' N.	72°06.1' W.
70. ....	39°29.75' N.	72°09.8' W.
to 48		
<b>Offshore Boundary</b>		
to 49		
1. ....	39°59.3' N.	70°14.0' W.
2. ....	39°58.85' N.	70°15.2' W.
3. ....	39°59.3' N.	70°18.4' W.
4. ....	39°58.1' N.	70°19.4' W.
5. ....	39°57.0' N.	70°19.85' W.
6. ....	39°57.55' N.	70°21.25' W.
7. ....	39°57.5' N.	70°22.8' W.
8. ....	39°57.1' N.	70°25.4' W.
9. ....	39°57.65' N.	70°27.05' W.
10. ....	39°58.58' N.	70°27.7' W.
11. ....	40°00.65' N.	70°28.8' W.
12. ....	40°02.2' N.	70°29.15' W.
13. ....	40°01.0' N.	70°30.2' W.
14. ....	39°58.58' N.	70°31.85' W.
15. ....	39°57.05' N.	70°34.35' W.
16. ....	39°56.42' N.	70°36.8' W.
21. ....	39°58.15' N.	70°48.0' W.
24. ....	39°58.3' N.	70°51.1' W.
25. ....	39°58.1' N.	70°52.25' W.
26. ....	39°58.05' N.	70°53.55' W.
27. ....	39°58.4' N.	70°59.6' W.
28. ....	39°59.8' N.	71°01.05' W.
29. ....	39°58.2' N.	71°05.85' W.
30. ....	39°57.45' N.	71°12.15' W.
31. ....	39°57.2' N.	71°15.0' W.
32. ....	39°56.3' N.	71°18.95' W.
33. ....	39°51.4' N.	71°36.1' W.
34. ....	39°51.75' N.	71°41.5' W.
35. ....	39°50.05' N.	71°42.5' W.
36. ....	39°50.0' N.	71°45.0' W.
37. ....	39°48.95' N.	71°46.05' W.
38. ....	39°46.6' N.	71°46.1' W.
39. ....	39°43.5' N.	71°49.4' W.
40. ....	39°41.3' N.	71°55.0' W.
41. ....	39°39.0' N.	71°55.6' W.
42. ....	39°36.72' N.	71°58.25' W.
43. ....	39°35.15' N.	71°58.55' W.
44. ....	39°34.5' N.	72°00.75' W.
45. ....	39°32.2' N.	72°02.25' W.
46. ....	39°32.15' N.	72°04.1' W.
47. ....	39°28.5' N.	72°06.5' W.
48. ....	39°29.0' N.	72°09.25' W.
to 70.		

## Fishery Conservation and Management

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(2) *Duration.* (i) *Mobile Gear.* From November 27 through June 15, no fishing vessel with mobile gear or person on a fishing vessel with mobile gear may fish, or be in Restricted Gear Area II unless transiting. Vessels may transit this area provided that all mobile gear is on board the vessel while inside the area.

(ii) *Lobster pot gear.* From June 16 through November 26, no fishing vessel with lobster pot gear or person on a fishing vessel with lobster pot gear may fish, and no lobster pot gear may be deployed or remain, in Restricted Gear Area II.

(l) *Restricted Gear Area III.* (1) Restricted Gear Area III is defined by straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
<b>Inshore Boundary</b>		
to 49		
182 .....	40°05.6' N.	70°17.7' W.
183 .....	40°06.5' N.	70°40.05' W.
184 .....	40°11.05' N.	70°45.8' W.
185 .....	40°12.75' N.	70°55.05' W.
186 .....	40°10.7' N.	71°10.25' W.
187 .....	39°57.9' N.	71°28.7' W.
188 .....	39°55.6' N.	71°41.2' W.
189 .....	39°55.85' N.	71°45.0' W.
190 .....	39°53.75' N.	71°52.25' W.
191 .....	39°47.2' N.	72°01.6' W.
192 .....	39°33.65' N.	72°15.0' W.
to 70		
<b>Offshore Boundary</b>		
to 182		
49 .....	40°02.75' N.	70°16.1' W.
50 .....	40°00.7' N.	70°18.6' W.
51 .....	39°59.8' N.	70°21.75' W.
52 .....	39°59.75' N.	70°25.5' W.
53 .....	40°03.85' N.	70°28.75' W.
54 .....	40°00.55' N.	70°32.1' W.
55 .....	39°59.15' N.	70°34.45' W.
56 .....	39°58.9' N.	70°38.65' W.
57 .....	40°00.1' N.	70°45.1' W.
58 .....	40°00.5' N.	70°57.6' W.
59 .....	40°02.0' N.	71°01.3' W.
60 .....	39°59.3' N.	71°18.4' W.
61 .....	40°00.7' N.	71°19.8' W.
62 .....	39°57.5' N.	71°20.6' W.
63 .....	39°53.1' N.	71°36.1' W.
64 .....	39°52.6' N.	71°40.35' W.
65 .....	39°53.1' N.	71°42.7' W.
66 .....	39°46.95' N.	71°49.0' W.
67 .....	39°41.15' N.	71°57.1' W.
68 .....	39°35.45' N.	72°02.0' W.
69 .....	39°32.65' N.	72°06.1' W.
70 .....	39°29.75' N.	72°09.8' W.
to 192		

(2) *Duration.* (i) *Mobile gear.* From June 16 through November 26, no fishing vessel with mobile gear or person on a fishing vessel with mobile gear

may fish, or be in Restricted Gear Area III unless transiting. Vessels may transit this area provided that all mobile gear is on board the vessel while inside the area.

(ii) *Lobster pot gear.* From January 1 through April 30, no fishing vessel with lobster pot gear or person on a fishing vessel with lobster pot gear may fish, and no lobster pot gear may be deployed or remain, in Restricted Gear Area III.

(m) *Restricted Gear Area IV.* (1) Restricted Gear Area IV is defined by straight lines connecting the following points in the order stated:

Point	Latitude	Longitude
<b>Inshore Boundary</b>		
193 .....	40°13.60' N.	68°40.60' W.
194 .....	40°11.60' N.	68°53.00' W.
195 .....	40°14.00' N.	69°04.70' W.
196 .....	40°14.30' N.	69°05.80' W.
197 .....	40°05.50' N.	69°09.00' W.
198 .....	39°57.30' N.	69°25.10' W.
199 .....	40°00.40' N.	69°35.20' W.
200 .....	40°01.70' N.	69°35.40' W.
201 .....	40°01.70' N.	69°37.40' W.
202 .....	40°00.50' N.	69°38.80' W.
203 .....	40°01.30' N.	69°45.00' W.
204 .....	40°02.10' N.	69°45.00' W.
205 .....	40°07.60' N.	70°04.50' W.
206 .....	40°07.80' N.	70°09.20' W.
to 119		
<b>Offshore Boundary</b>		
69 .....	40°07.90' N.	68°36.00' W.
70 .....	40°07.20' N.	68°38.40' W.
71 .....	40°06.90' N.	68°46.50' W.
72 .....	40°08.70' N.	68°49.60' W.
73 .....	40°08.10' N.	68°51.00' W.
74 .....	40°05.70' N.	68°52.40' W.
75 .....	40°03.60' N.	68°57.20' W.
76 .....	40°03.65' N.	69°00.00' W.
77 .....	40°04.35' N.	69°00.50' W.
78 .....	40°05.20' N.	69°00.50' W.
79 .....	40°05.30' N.	69°01.10' W.
80 .....	40°08.90' N.	69°01.75' W.
81 .....	40°11.00' N.	69°03.80' W.
82 .....	40°11.60' N.	69°05.40' W.
83 .....	40°10.25' N.	69°04.40' W.
84 .....	40°09.75' N.	69°04.15' W.
85 .....	40°08.45' N.	69°03.60' W.
86 .....	40°05.65' N.	69°03.55' W.
87 .....	40°04.10' N.	69°03.90' W.
88 .....	40°02.65' N.	69°05.60' W.
89 .....	40°02.00' N.	69°08.35' W.
90 .....	40°02.65' N.	69°11.15' W.
91 .....	40°00.05' N.	69°14.60' W.
92 .....	39°57.80' N.	69°20.35' W.
93 .....	39°56.75' N.	69°24.40' W.
94 .....	39°56.50' N.	69°26.35' W.
95 .....	39°56.80' N.	69°34.10' W.
96 .....	39°57.85' N.	69°35.05' W.
97 .....	40°00.65' N.	69°36.50' W.
98 .....	40°00.90' N.	69°37.30' W.
99 .....	39°59.15' N.	69°37.30' W.
100 .....	39°58.80' N.	69°38.45' W.
102 .....	39°56.20' N.	69°40.20' W.

Point	Latitude	Longitude
103 .....	39°55.75' N.	69°41.40' W.
104 .....	39°56.70' N.	69°53.60' W.
105 .....	39°57.55' N.	69°54.05' W.
106 .....	39°57.40' N.	69°55.90' W.
107 .....	39°56.90' N.	69°57.45' W.
108 .....	39°58.25' N.	70°03.00' W.
110 .....	39°59.20' N.	70°04.90' W.
111 .....	40°00.70' N.	70°08.70' W.
112 .....	40°03.75' N.	70°10.15' W.
115 .....	40°05.20' N.	70°10.90' W.
116 .....	40°02.45' N.	70°14.1' W.
119 .....	40°02.75' N.	70°16.1' W.
to 206		

(2) *Duration.* (i) *Mobile gear.* From June 16 through September 30, no fishing vessel with mobile gear or person on a fishing vessel with mobile gear may fish, or be in Restricted Gear Area IV unless transiting. Vessels may transit this area provided that all mobile gear is on board the vessel while inside the area.

(n) *Area closures beginning May 1, 2001.* (1) No fishing vessel or person on a fishing vessel may enter, fish, or be in, and no fishing gear capable of catching NE multispecies, unless otherwise allowed in this part, may be in, or on board a vessel in, the area known as the Mid-coast Closure Area, as described in §648.87(a)(1), during the period May 10 through May 30, or in the area known as the Massachusetts Bay Closure Area, as described in §648.87(a)(3), during the period March 1 through March 30, (copies of a chart depicting these areas is available from the Regional Administrator upon request (see Table 1 to §600.502)), except as specified in paragraphs (d) and (n)(2) of this section.

(2) Paragraph (n)(1) of this section does not apply to persons on fishing vessels or fishing vessels that meet the criteria in paragraph (f)(2)(i), (ii), or (iii) of this section.

[61 FR 34968, July 3, 1996, as amended at 61 FR 55777, Oct. 29, 1996; 62 FR 9379, Mar. 3, 1997; 62 FR 10748, Mar. 10, 1997; 62 FR 15388, Apr. 1, 1997; 63 FR 7730, Feb. 17, 1998; 63 FR 11595, Mar. 10, 1998; 63 FR 15331, Mar. 31, 1998; 63 FR 25416, May 8, 1998]

EFFECTIVE DATE NOTE: At 63 FR 11595, Mar. 10, 1998, §648.81 was amended by revising paragraph (f)(2)(ii)(B). This paragraph contains information collection and record-keeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

**§ 648.82 Effort-control program for limited access vessels.**

(a) *General.* Except as provided in §648.17, a vessel issued a limited access multispecies permit may not fish for, possess, or land regulated species, except during a DAS as allocated under and in accordance with the applicable DAS program described in this section, unless otherwise provided elsewhere in this part.

(1) *End-of-year carry-over.* With the exception of vessels that held a Confirmation of Permit History as described in §648.4(a)(1)(i)(J) for the entire fishing year preceding the carry-over year, limited access vessels that have unused DAS on the last day of April of any year, may carry over a maximum of 10 DAS into the next year. DAS sanctioned vessels will be credited with unused DAS based on their DAS allocation minus total DAS sanctioned.

(2) [Reserved]

(b) *DAS program—permit categories, allocations and initial assignments to categories.* Beginning with the 1996 fishing year, all limited access multispecies permit holders shall be assigned to one of the following DAS permit categories according to the criteria specified. Permit holders may request a change in permit category for the 1996 fishing year and all fishing years thereafter, as specified in §648.4(a)(1)(i)(I)(2). Each fishing year shall begin on May 1 and extend through April 30 of the following year.

(i) *Individual DAS category—(i) DAS allocation.* A vessel fishing under the Individual DAS category shall be allocated 65 percent of its initial 1994 allocation baseline, as established under Amendment 5 to the NE Multispecies FMP, multiplied by the proration factor of 0.833 for the 1996 fishing year, unless a vessel qualifies for a restoration of DAS under paragraph (j) of this section, and 50 percent of its initial allocation baseline for the 1997 fishing year and beyond, as calculated under paragraph (d)(1) of this section.

(ii) *Initial assignment.* Any vessel issued a valid limited access multispecies Individual DAS permit as of July 1, 1996, except those that have been issued a gillnet permit, shall be initially assigned to the Individual DAS category.